



U.S. Citizenship  
and Immigration  
Services

FILE: EAC 02 204 54691  
EAC 03 261 51007

Office: VERMONT SERVICE CENTER

Date:

IN RE: Petitioner:  
Beneficiary:


PETITION: Petition for Special Immigrant Religious Worker Pursuant to Section 203(b)(4) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(4), as described at Section 101(a)(27)(C) of the Act, 8 U.S.C. § 1101(a)(27)(C)

ON BEHALF OF PETITIONER:

SELF-REPRESENTED

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

  
Robert P. Wiemann, Director  
Administrative Appeals Office

**DISCUSSION:** The employment-based immigrant visa petition was denied by the Director, Vermont Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner is a church. It seeks to classify the beneficiary as a special immigrant religious worker pursuant to section 203(b)(4) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(4), to perform services as a Sunday school teacher. The director determined that the petitioner had not established that the beneficiary had been engaged continuously in a qualifying religious vocation or occupation for two full years immediately preceding the filing of the petition. The director also determined that the petitioner had not established that it qualified as a bona fide nonprofit religious organization or that the position qualified as that of a religious worker. The director further determined that the petitioner had failed to establish that it had extended a valid job offer to the beneficiary, or that it had the ability to pay the beneficiary a wage.

The petitioner timely filed a Form I-290B, Notice of Appeal to the Administrative Appeals Unit, in which it stated that the purpose of the appeal was to provide more evidence in support of the petition. On motion, the petitioner submitted additional documentation; however, none of the documentation addresses the objections of the director. We note specifically that the petitioner, in addressing the director's determination regarding its qualification as a bona fide religious organization, submitted a September 2003 letter from the Internal Revenue Service advising the petitioner that its application for tax-exempt status was closed for failure of the petitioner to provide the requested documentation. The petitioner also submitted copies of its bylaws and certificate of incorporation, and copies of various certificates received by the petitioner's current pastor, Reverend Akinsira. The petitioner also included a copy of a "Certificate of Evangelist" presented to the beneficiary in October of 2003.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part:

An officer to whom an appeal is taken shall summarily dismiss any appeal when the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal.

As the petitioner has failed to identify specifically any erroneous conclusion of law or a statement of fact in this proceeding, the appeal must be summarily dismissed.

**ORDER:** The appeal is summarily dismissed.